



To: Planning Committee **Date:** June 10, 2019
From: Barry Konkin **File:** RZ 19-855349
Manager, Policy Planning
Re: Application by Wei Dong Luo for Rezoning at 11951 Blundell Road from
"Agriculture (AG1)" to a Site Specific Agriculture Zone to Permit a Larger House
Size

Staff Recommendation

That the application for the rezoning of 11951 Blundell Road from "Agriculture (AG1)" to a Site Specific Agricultural Zone, to permit a house up to 500 m² in floor area, be denied.

Barry Konkin
Manager, Policy Planning

BK:sds
Att. 8

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Development Applications	<input checked="" type="checkbox"/>	

Staff Report

Origin

Wei Dong Luo has applied to the City of Richmond for permission to rezone the property at 11951 Blundell Road from the “Agriculture (AG1)” zone to a Site Specific Agricultural Zone, in order to permit a single-family dwelling with a floor area of 500 m² (5,382 ft²). The maximum floor area permitted in the AG1 zone for a single-family dwelling (and all residential accessory buildings or structures) is 400 m² (4,306 ft²). The subject property is approximately 0.38 acres (0.15 hectares) in area and is located within the Agricultural Land Reserve (ALR). The subject site is currently vacant, but was previously occupied by a single-family dwelling, which was demolished in 2019. A location map and aerial photograph are provided in Attachment 1.

A Building Permit (B7 18-843119) application was submitted on December 13, 2018 for a new single-family dwelling with a total floor area of 500 m² (5,382 ft²). The Building Permit was submitted during the Council endorsed withholding period for Building Permits that conflicted with the bylaw amendments under preparation and consideration by Council, which included reducing the maximum floor area permitted in the AG1 zone to 400 m² (4,306 ft²). The amendments to the AG1 zone were adopted by Council on December 17, 2018, and the Building Permit was subsequently cancelled as it did not comply with the new regulations for maximum floor area. The applicant subsequently submitted the subject rezoning application in order to permit a single-family dwelling with a maximum floor area of 500 m² (5,382 ft²), as per the original submitted Building Permit application. The proposed site plan and elevations for the house are provided in Attachment 2.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 3)

Surrounding Development

- To the North: Single-family dwelling on a 0.4 acre (0.16 hectare) lot zoned “Agriculture (AG1)” fronting No. 5 Road, located in the Agricultural Land Reserve (ALR).
- To the South: Across Blundell Road, a small commercial building with retail space on the ground floor and a residential operator unit on the upper floor, on a lot zoned “Local Commercial (CL)”.
- To the East: Across No. 5 Road, a religious assembly building on a lot zoned “Assembly (ASY)”.
- To the West: Single-family dwellings on approximately 0.5 acre (0.2 hectare) lots zoned “Agriculture (AG1)” fronting Blundell Road, located in the ALR.

Related Policies & Studies

Official Community Plan/East Richmond Area McLennan Sub-Area Plan

The Official Community Plan (OCP) land use designation for the subject site is “Agriculture”. The East Richmond Area McLennan Sub-Area Plan land use designation for the subject site is “Agriculture” (Attachment 4). The “Agriculture” designation comprises of those areas of the City where the principal use is agriculture and food production, but may include other land uses as permitted under the Agricultural Land Commission Act (ALCA).

The OCP includes policies on residential development in the Agricultural Land Reserve (ALR), including limiting the area used for residential development on properties in the ALR. As per Section 7.0 of the OCP (p. 7-4) (Attachment 5), the following policies are provided as guidelines which may be applied by Council, in a flexible manner, individual or together, to increase house size in the City’s agricultural areas:

- the need to accommodate a variety of a cultural and inter-generational family needs and farm situations;
- verification that the site has been or can be used for agricultural production;
- verification that the applicant has been farming in Richmond or elsewhere, for a significant period of time, or if they are a new farmer, they can demonstrate that they are, or will be, capable of farming;
- demonstration that there is a need for a larger farm house, to accommodate existing and/or anticipated workers on the site, through the submission of a detailed report from a Professional Agrologist indicating such, or through other information;
- submission of a farm plan which is acceptable to Council that may include justifying any proposed on-site infrastructure, or farm improvements including providing financial security to ensure that the approved farm plan is implemented.

The applicant has advised staff that they do not intend to actively farm the subject property and no verification or demonstration of farming has been provided. The applicant’s stated reason for the proposed rezoning is the timing of the withholding period and cancellation of the previous Building Permit, and for multi-generational family accommodations unrelated to onsite farming. The applicant’s statement of intent is provided in Attachment 6. Therefore, the above-noted guidelines cannot be applied in this context and the proposal is not consistent with OCP policies.

Public Consultation

A rezoning sign has been installed on the subject property. Staff have received one written submission which is attached (Attachment 7). In the submission, the writer does not support the rezoning application. No further comments from the public about the rezoning application have been received.

Analysis

Proposed Rezoning

The purpose of the proposed rezoning application is to allow a single-family dwelling with a total floor area of 500 m² (5,382 ft²). A Building Permit (B7 18-843119) application for a new single-family dwelling (500 m² in floor area) was submitted on December 13, 2018, during the Council endorsed withholding period for Building Permits that conflicted with the bylaw amendments under preparation and consideration by Council. The withholding period began on November 13, 2018 and ended on December 17, 2018. On December 17, 2018, Council adopted amendments to the “Agriculture (AG1)” zone to limit residential development on agriculturally zoned land, including:

- a maximum house size of 400 m² (4,306 ft²);
- a maximum two storey building height;
- a maximum house footprint of 60% of the total floor area;
- a maximum farm home plate of 50% of the lot area for lots less than 0.2 ha and 1,000 m² for lots equal to or greater than 0.2 ha; and
- requiring the septic field to be located within the farm home plate.

The associated Building Permit for the subject property was subsequently cancelled after the amendments were adopted, as it did not comply with the new regulations (i.e. maximum house size). The applicant submitted a rezoning application on March 4, 2019 for a house size of 500 m² (5,382 ft²). The Development Application Data Sheet in Attachment 3 provides details about the development proposal in comparison to the current requirements of the AG1 zone. A timeline of applicable events is also provided in Attachment 8.

Council recently considered similar rezoning applications for a larger house size on agricultural land, which also involved cancellation of a Building Permit submitted during the withholding period (November 13 – December 17, 2018). A summary table of these rezoning applications is provided below:

Property (Rezoning File)	Associated Building Permit Submission Date	Proposed Size of House	Council Decision
22260 River Road (RZ 19-851176)	December 14, 2018	486 m ² (5,232 ft ²)	Rezoning Application denied by Council on March 25, 2019
11120 Granville Ave (RZ 19-850784)	December 13, 2018	500 m ² (5,382 ft ²)	Rezoning Application denied by Council on March 25, 2019
11951 Blundell Rd (RZ 19-855349)	December 13, 2018	500 m ² (5,382 ft ²)	Subject Rezoning Application

A total of four Building Permit applications for single-family homes on agricultural land were submitted during the withholding period. Three of the four have submitted rezoning

applications, as referenced above. The owner of the remaining property (11131 Granville Avenue) submitted a new Building Permit application on March 25, 2019 consistent with the new regulations, which is currently in-circulation.

The Agricultural Land Reserve Regulation was amended on February 22, 2019 and established a maximum single-family dwelling size of 500 m² (5,382 ft²) in total floor area for land located within the Agricultural Land Reserve (ALR). Although the subject property is located in the ALR, the proposed house size would be within the Provincial limit and thus not required to submit an application to the Agricultural Land Commission (ALC).

Financial Impact or Economic Impact

None.

Conclusion

Wei Dong Luo has applied to the City of Richmond for permission to rezone the property at 11951 Blundell Road from the "Agriculture (AG1)" zone to a Site Specific Agricultural Zone, in order to permit a single-family dwelling with a floor area of 500 m² (5,382 ft²).

The application is not consistent with the AG1 zone and does not comply with applicable policies and land use designations contained within the OCP and Area Plan.

On this basis, it is recommended that the application be denied.



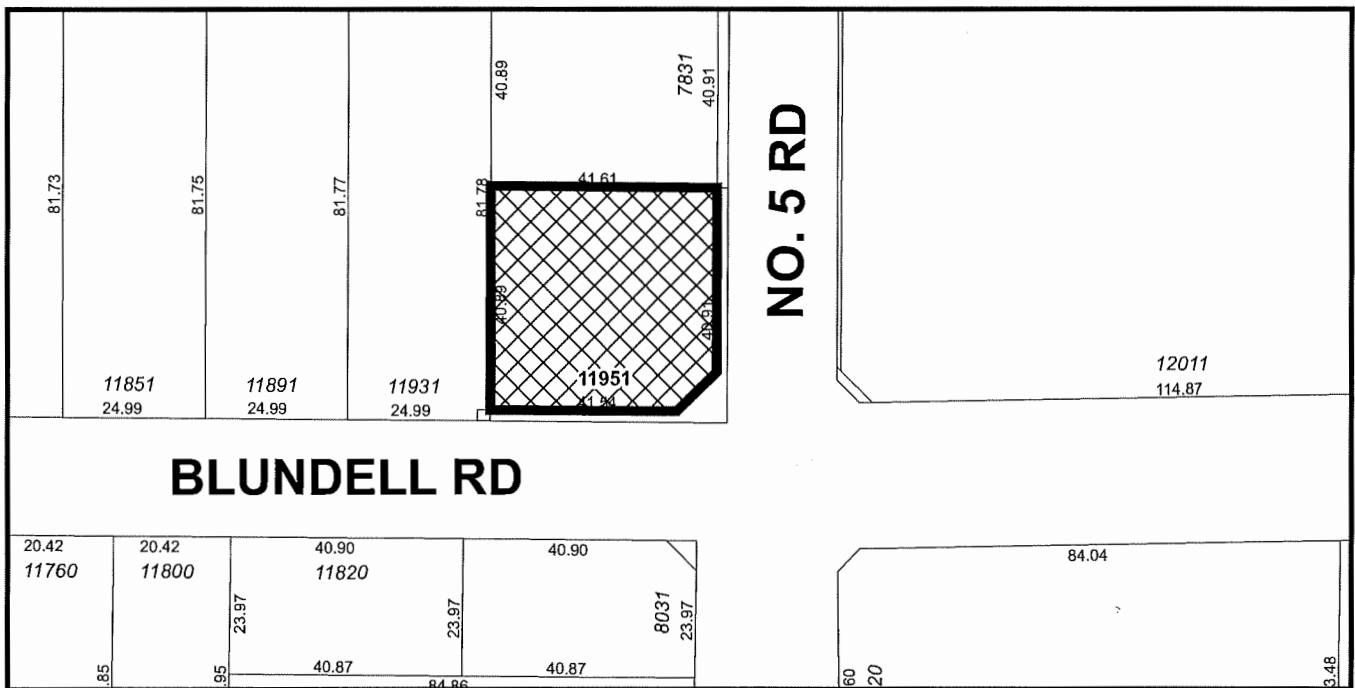
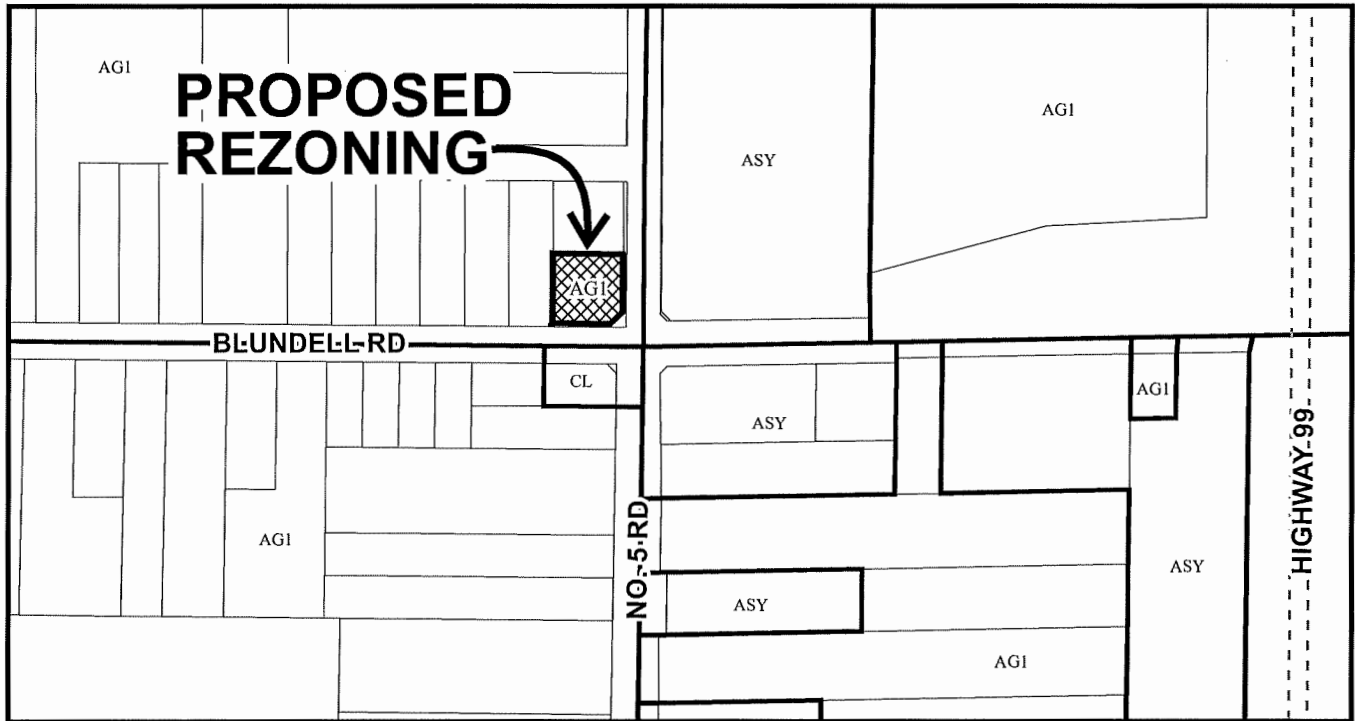
Steven De Sousa
Planner 1

SDS:cas

- Attachment 1: Location Map and Aerial Photo
- Attachment 2: Conceptual Development Plans
- Attachment 3: Development Application Data Sheet
- Attachment 4: East Richmond Area McLennan Sub-Area Plan Land Use Map
- Attachment 5: Official Community Plan Section 7-4
- Attachment 6: Statement of Intent by Applicant
- Attachment 7: Written Submission on Rezoning Application
- Attachment 8: Timeline of Applicable Events



City of
Richmond



	<h1>RZ 19-855349</h1>	<p>Original Date: 03/11/19 Revision Date: Note: Dimensions are in METRES</p>
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City of
Richmond



RZ 19-855349

Original Date: 03/11/19

Revision Date:

Note: Dimensions are in METRES

PROJECT DESCRIPTION:

CIVIC ADDRESS 11951 BLUNDELL ROAD RICHMOND, B.C.	
LEGAL ADDRESS LOT 13 SECTION 13 BLOCK 4 NORTH RANGE 6 WEST NEW WESTMOUNT PLAN 29845 PID: 00-030-020	
ZONE	AS1
LOT SIZE	16,393.04 SQ. FT.
FARM HOME PLATE	PERMITTED 8,196.62 SQ. FT.
SOIL FILL PLACEMENT	PROPOSED 8,197.65 SQ. FT.
FAR	PERMITTED 21,048.61 SQ. FT.
MAIN FLOOR	PROPOSED 11,511.84 SQ. FT.
UPPER FLOOR	PROPOSED 5,391.98 SQ. FT.
CARAGE	PROPOSED 2,764.03 SQ. FT.
PERMITTED FOOTPRINT COVERAGE	PROPOSED 40,000 SQ. FT. 5,411.96 SQ. FT. (16% OF 32,588.04)
IMP. AREA	PROPOSED 3,226.05 SQ. FT.
OUTDOOR AREA	PROPOSED 16,393.04 SQ. FT. (100% OF 16,393.04)
ACC. BLDG.	PROPOSED NA

IMPERVIOUS AREA CALCULATION

IMPERVIOUS AREA PERMITTED	5,985.08 SQFT
IMPERVIOUS AREA PROPOSED	5,297.21 SQFT (88.4%)
GARAGE	546.02 SQFT
MAIN BLDG. & COV. PORCH	3,641.04 SQFT
SIDE WALK & DRIVEWAY	790.29 - 1,071.85 SQFT

NOTES:

1. WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALE.
2. CONTRACTOR SHALL VERIFY ALL ON SITE CONDITIONS PRIOR TO COMMENCEMENT OF THE WORK.
3. ALL WORK SHALL CONFORM TO THE REQUIREMENT OF BRITISH COLUMBIA CODE 2012 EDITION.
4. ALL CONCRETE WORK SHALL CONFORM TO THE REQUIREMENT OF C.S.A. 2421 LATEST EDITION.
5. ALL FRAMING AND NAILING SHALL CONFORM TO B.C. BUILDING CODE PART 9 AND DESIGN TO C.S.A. LATEST EDITION.
6. ALL FRAMING LUMBER SHALL BE DOUGLAS FIR @2 OR BETTER REGISTERED IN B.C.
7. ALL WOOD TRUSSES SHALL BE DOUGLAS FIR CONFORM TO C.S.A. 021 LATEST EDITION.
8. ALL PLYWOOD SHALL BE DOUGLAS FIR CONFORM TO C.S.A. 021 LATEST EDITION.
9. ALL WORK SHALL BE ENTIRELY RESPONSIBLE FOR ALL STRUCTURAL ENGINEERING REQUIREMENT.
10. ALL DIMENSIONS ARE TO BE CHECKED ON SITE BEFORE WORK COMMENCES. THERE IS NO RESPONSIBILITY OF THE DESIGNER/THE OWNER CONTRACTOR/BUILDER SHOULD INFORM THE DESIGNER BEFORE COMMENCEMENT OF CONSTRUCTION POTENTIAL DISCREPANCY.

THESE PLANS CONFORM TO BCBC 2012

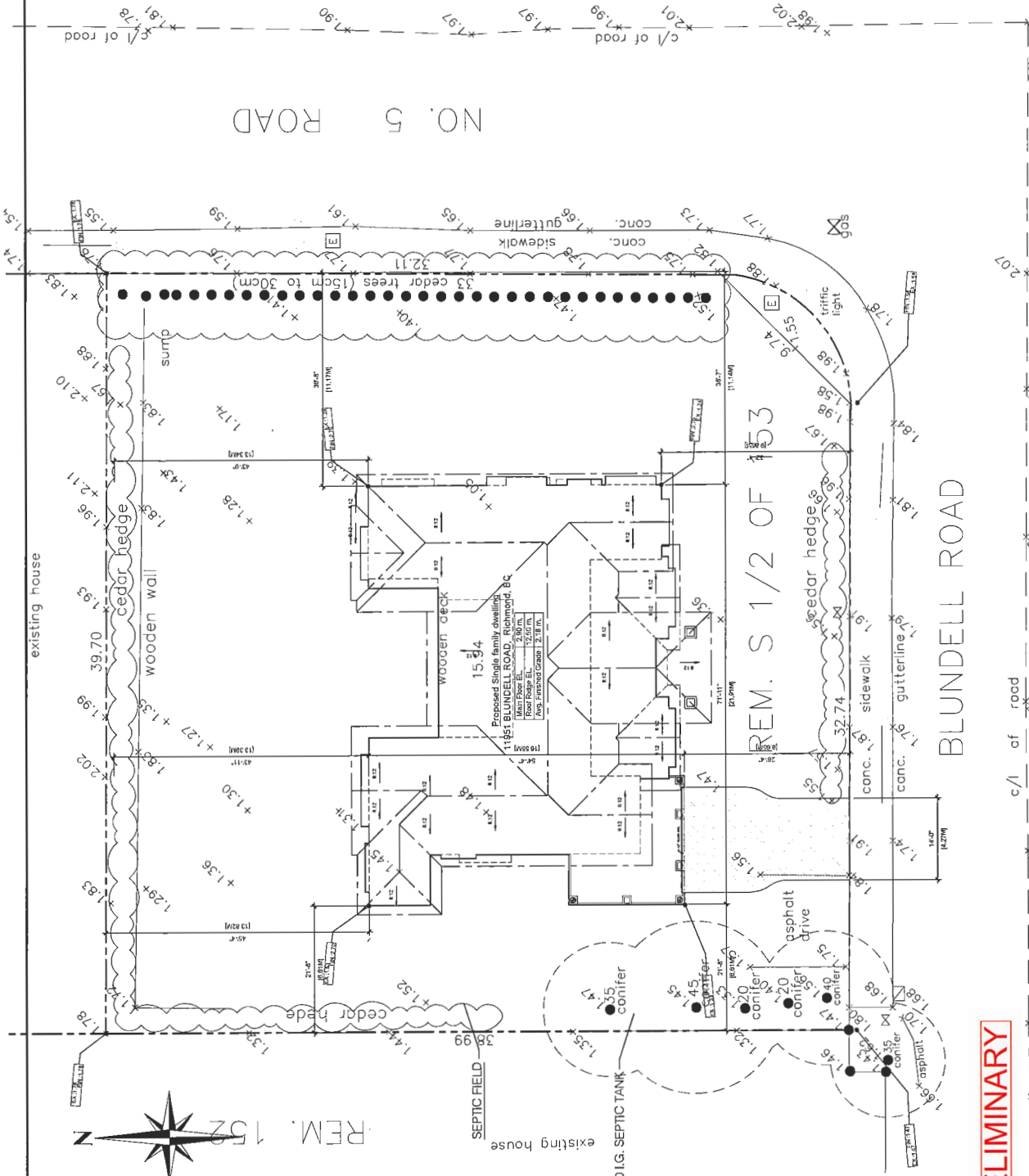
ADDRESS:
11951 BLUNDELL ROAD
RICHMOND, B.C.

ENRICH DEVELOPMENT GROUP
N 210 - 5811 COONEY ROAD,
RICHMOND, BC V6X 1B5
T 604-279-8808 EMAIL design@enrichdevelopments.com

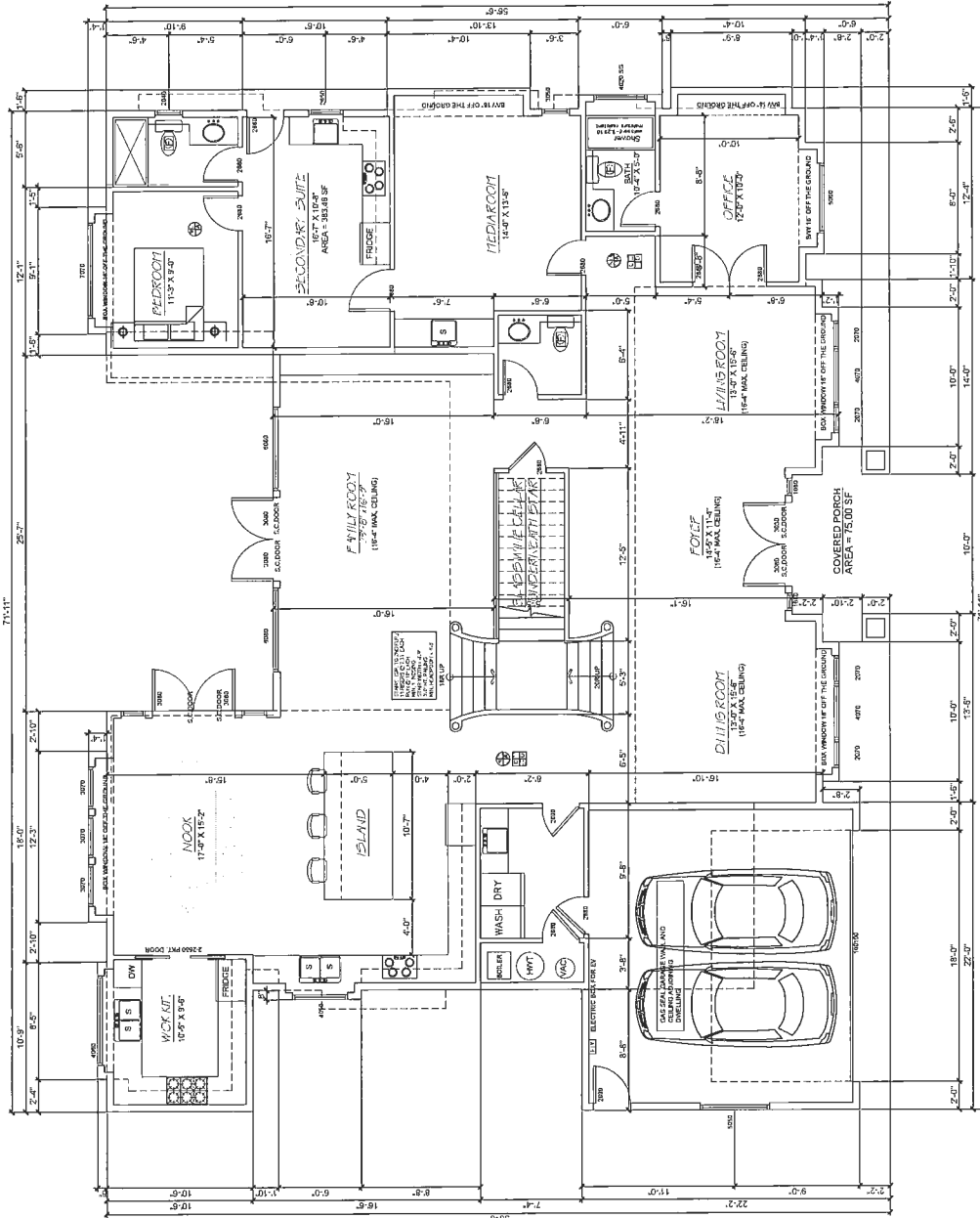


REZONING APPLICATION
MAY 22, 2019

PRELIMINARY



PLN - 124



MAIN FLOOR PLAN
(NOT TO SCALE) SCALE: 1/4" = 1'-0"

MAIN FLOOR AREA:	2,750.00 SF
GARAGE AREA:	400.00 SF
COVERED PORCH AREA:	75.00 SF
TOTAL FLOOR AREA:	3,225.00 SF

SYMBOLS:

	FIRE ALARM PULL STATION
	FIRE ALARM CONTROL PANEL
	FIRE ALARM NOTIFICATION APPLIANCE
	FIRE ALARM CONTROL UNIT
	FIRE ALARM CONTROL PANEL WITH REMOTE SIGNALING
	FIRE ALARM CONTROL PANEL WITH REMOTE SIGNALING AND TROUBLE SIGNALING
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MAIN FLOOR PLAN
(NOT TO SCALE) SCALE: 1/4" = 1'-0"

THESE PLANS CONFORM TO BCBC 2012

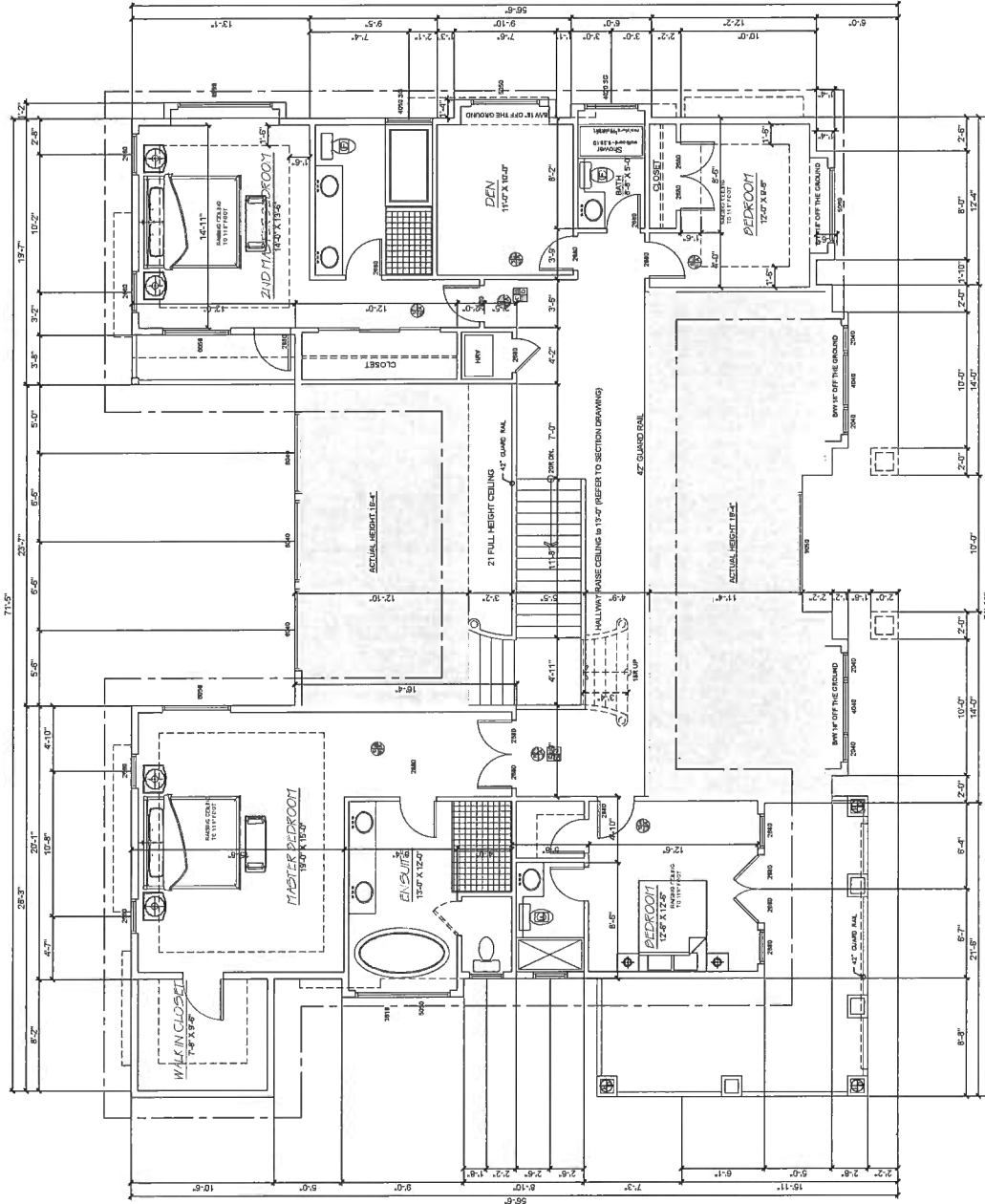
ADDRESS:
 11951 BLUNDELL ROAD
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REZONING APPLICATION
 MAY 22, 2019



PAGE 2 OF 7



UPPER FLOOR PLAN
ENRICH MARK SCALE: 1/4" = 1'-0"

NET UPPER F.L.R. AREA:	2,052.96 SF
STAIR AREA:	107.83 SF
TOTAL F.L.R. AREA:	2,177.59 SF

SYMBOLS:

	PIR/UNCONNECTED SHOCK ANALOG DETECTOR
	INTERCONNECTED COMMON INWIRE DETECTION
	DETECTOR/STROBE UNIT
	ELECTRIC BOX/FRY
	SCHEDULED
	PARENT LIGHT
	HOT WATER TANK
	SINK
	BACKFLOW PREVENTOR
	FLOOR DRAIN

UPPER FLOOR PLAN
ENRICH MARK SCALE: 1/4" = 1'-0"

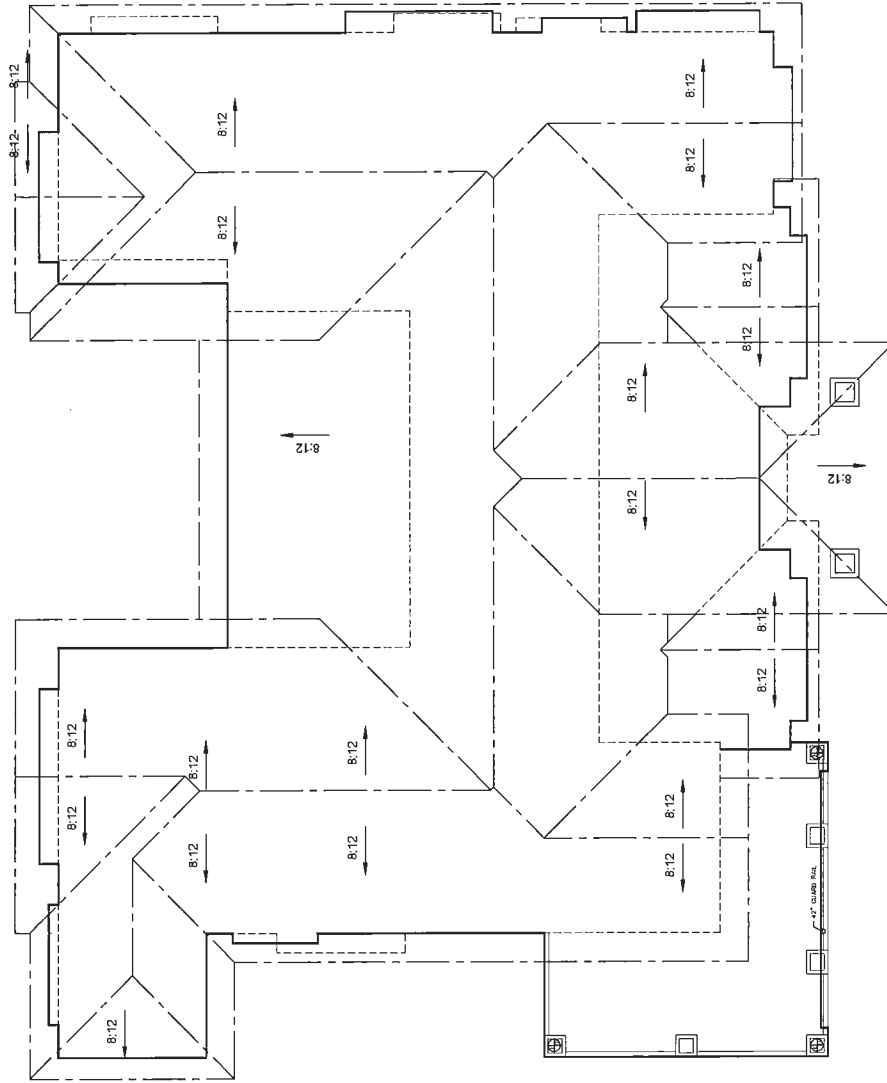
THESE PLANS CONFORM TO BCBC 2012

ADDRESS:
 11951 BLUNDELL ROAD
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REZONING APPLICATION
 MAY 22, 2019



ROOF PLAN
SCALE: 1/4" = 1'-0"

PLN - 127

ENRICH DEVELOPMENT GROUP
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T 604-279-8808 EMAIL design@enrichdevelopments.com

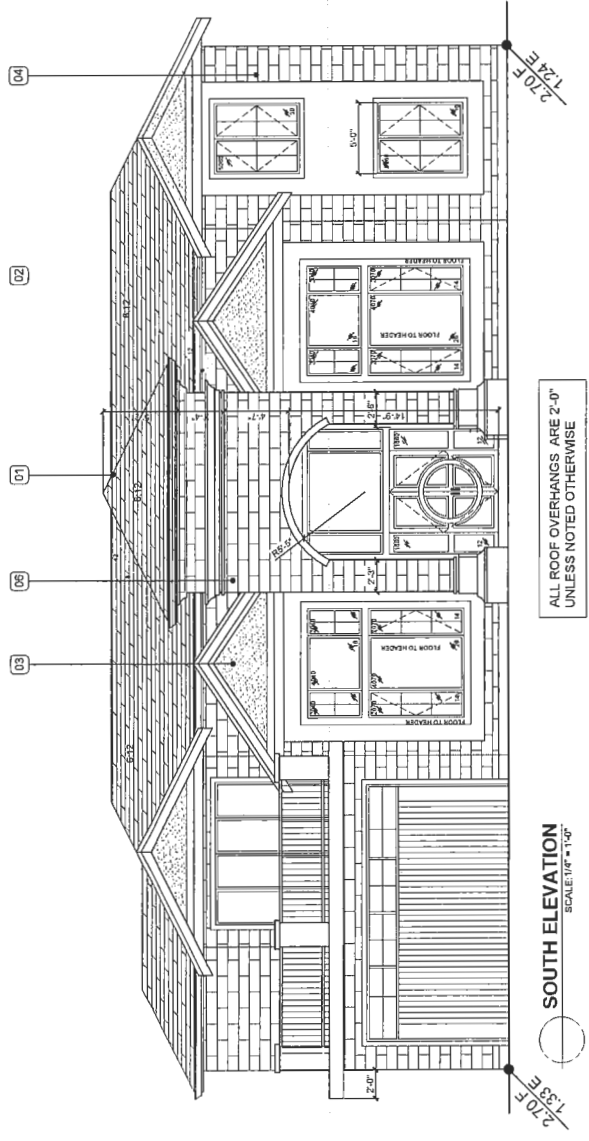


ADDRESS:
11951 BLUNDELL ROAD
RICHMOND, B.C.

PAGE 4 OF 7

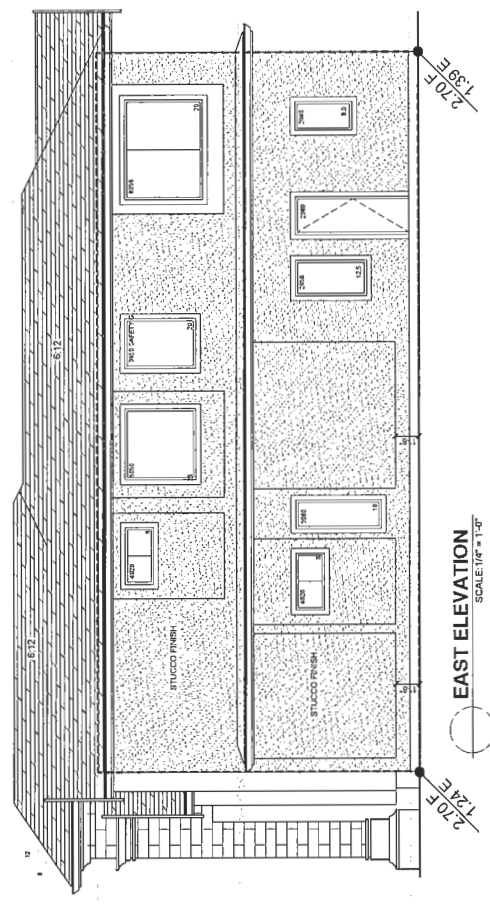
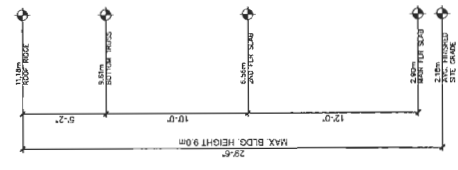
REZONING APPLICATION
MAY 22, 2019

- 01 ASPHALT SHINGLE
- 02 DOUBLE GLAZED WINDOW IN VINYL FRAME
- 03 STUCCO FINISH
- 04 LIMESTONE FINISH
- 05 ELECTRIC GARAGE DOOR
- 06 NATURAL STONE FINISH
- 07 CORNER STONE FINISH

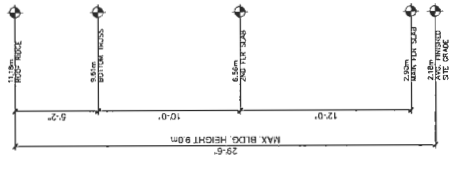


ALL ROOF OVERHANGS ARE 2'-0"
UNLESS NOTED OTHERWISE

SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"



TOTAL WALL AREA (180\"/>	
UNPROTECTED OPENING PERMITTED	123.17 SF
(100% TEMP. GLAZING)	123.88 SF
UNPROTECTED OPENING PROPOSED	119.94 SF

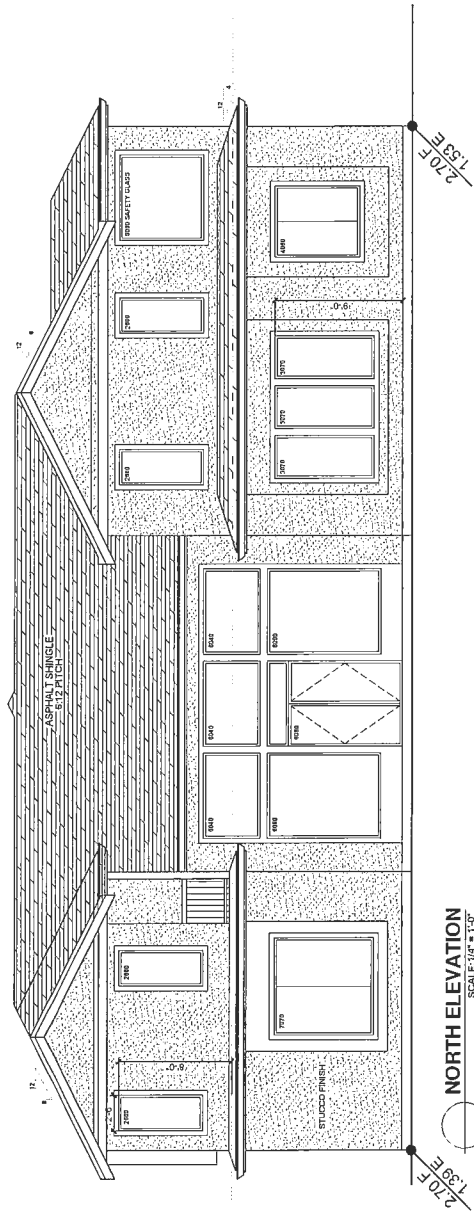
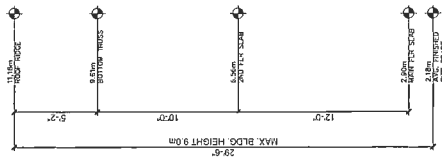
THESE PLANS CONFORM TO BCBC 2012

ADDRESS: 11951 BLUNDELL ROAD
RICHMOND, B.C.

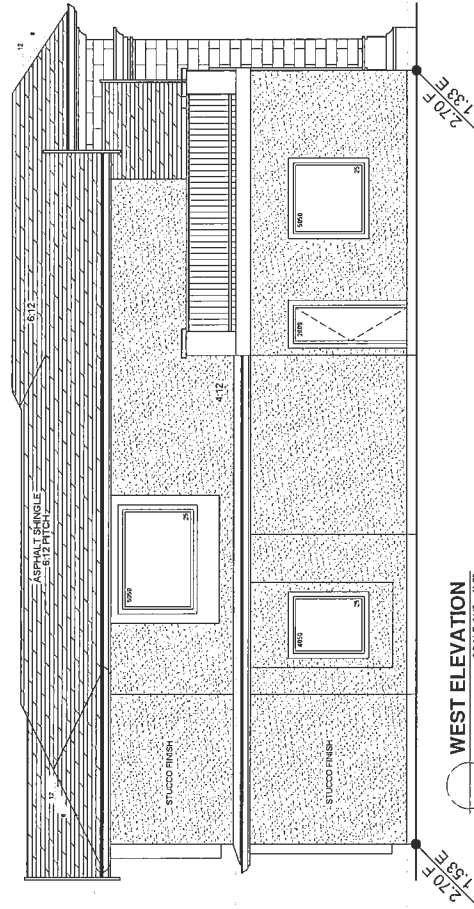
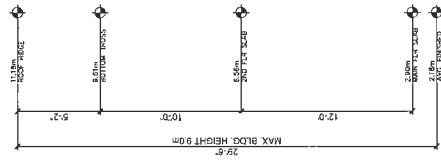
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REZONING APPLICATION
REV JUNE 11, 2019



NORTH ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"

TOTAL WALL AREA (19'-2" DIST.)	1,204.05 SF
UNPROTECTED OPENING PERMITTED	248.33 SF
(DPA 15M - CLAZING)	
UNPROTECTED OPENING PROPOSED	111.0 SF



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ADDRESS:
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RICHMOND, B.C.



RZ 19-855349

Attachment 3

Address: 11951 Blundell Road

Applicant: Wei Dong Luo

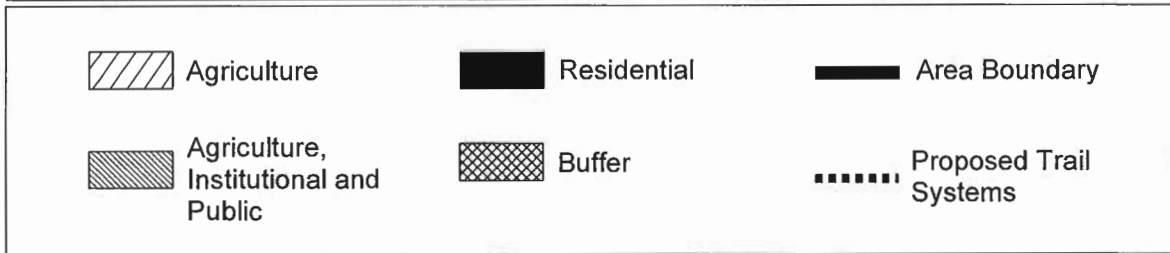
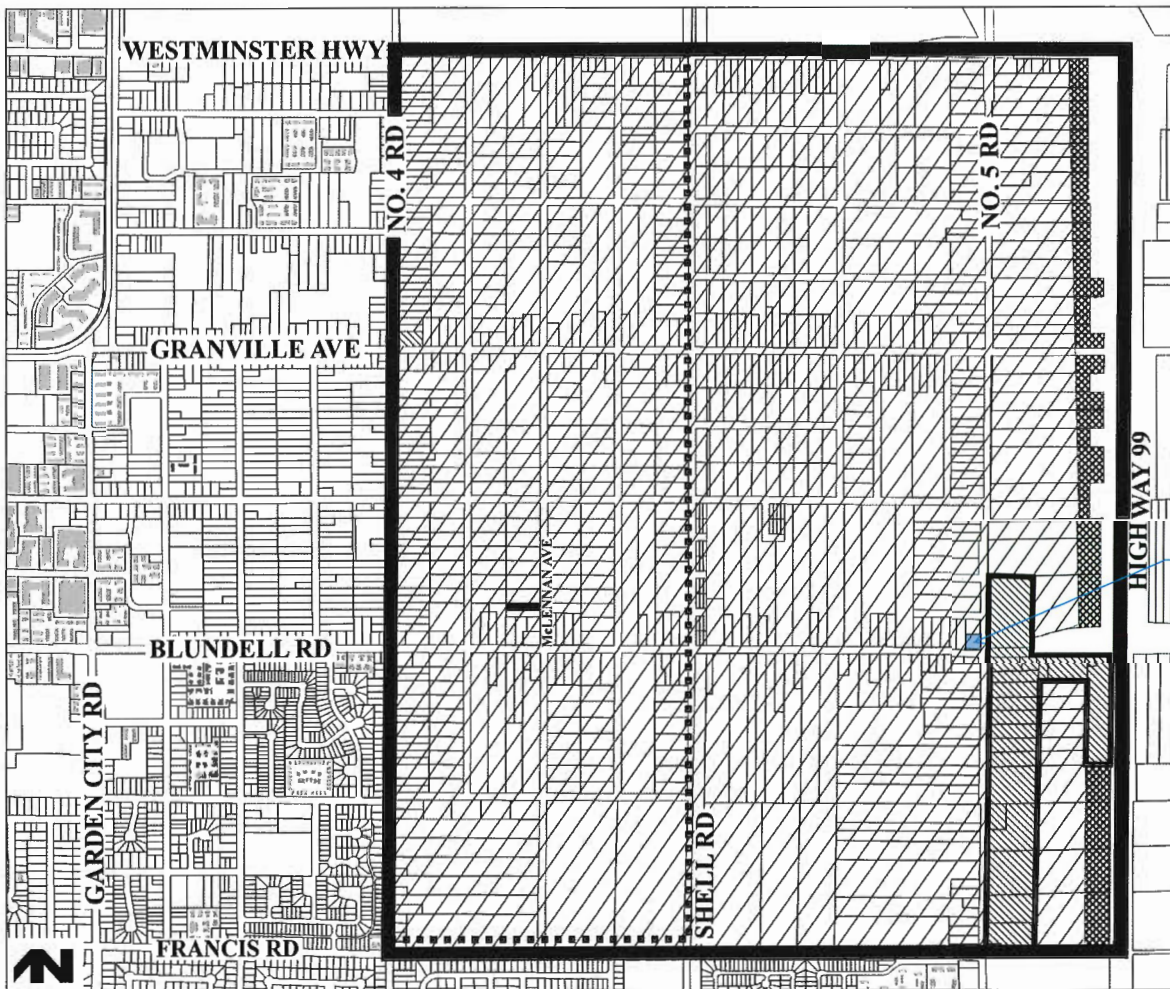
Planning Area(s): East Richmond

	Existing	Proposed
Owner:	H. Xiao	No change
Site Size:	1,523 m ² (0.38 ac / 0.15 ha / 16,393 ft ²)	No change
Land Uses:	Single-family residential	No change
OCP Designation:	Agriculture (AGR)	No change
Area Plan Designation:	Agriculture	No change
Zoning:	Agriculture (AG1)	Site Specific Agriculture Zone to permit a larger house size
Number of Units:	1	No change

	Bylaw Requirement (AG1)	Proposed	Variance
Buildable Floor Area:	Max. 400 m ² (4,306 ft ²)	500 m ² (5,382 ft ²)	Rezoning Requested
Farm Home Plate:	Max. 50% of the lot area for lots less than 0.2 ha	50%	None
House Footprint:	Max. 60% of the maximum floor area ratio	60%	None
Setbacks – Farm Home Plate:	Max. 75 m	Complies	None
Setbacks – Single Detached Housing Building:	Max. 50 m	Complies	None
Setbacks – Front:	Min. 6.0 m	8.6 m	None
Setbacks – Interior Side:	Min. 1.2 m	6.6 m	None
Setbacks – Exterior Side:	Min. 4.0 m	11.1 m	None
Setbacks – Rear:	Min. 10 m	13.3 m	None
Height:	Max. 2 storeys (9.0 m)	2 storeys (9.0 m)	None

City of Richmond

Land Use Map Bylaw 8791
2012/09/10





Bylaw 9706
2017/05/17

Residential Development

- f) limit the area used for residential development on properties in the Agricultural Land Reserve. The following policies are to be regarded as guidelines which may be applied by Council, in a flexible manner, individually or together, on a case-by-case basis, when considering rezoning applications, to increase house size in the City's agricultural areas:
- the need to accommodate a variety of a cultural and inter-generational family needs and farm situations;
 - verification that the site has been or can be used for agricultural production;
 - verification that the applicant has been farming in Richmond or elsewhere, for a significant period of time, or if they are a new farmer, they can demonstrate that they are, or will be, capable of farming;
 - demonstration that there is a need for a larger farm house, to accommodate existing and / or anticipated workers on the site, through the submission of a detailed report from a Professional Agrologist indicating such, or through other information;
 - submission of a farm plan which is acceptable to Council that may include justifying any proposed on-site infrastructure, or farm improvements including providing financial security to ensure that the approved farm plan is implemented;

Bylaw 9984
2019/02/19

- g) limit the number of dwelling units to one (1) on lots within the Agricultural Land Reserve (ALR). Any proposal for additional dwelling units would require approval from both Council and the Agricultural Land Commission (ALC).

TO WHOM MAY CONCERN

I am writing to apply for rezoning for 11951 Blundell Road from the "Agricultural (AG1)" Zone to a site specific Agricultural Zone to permit a Single-Family dwelling up to a maximum floor area of 500m² (5382 ft²). The reason I am writing to apply for rezoning is because my family of 3 generations will be living all together. We have spent over a year to design the new single family house so that we can have a house to live for our family. We have just arrived in Canada from China and we still don't have a house to live. We understand the Provincial government allows for 500 square meters for the new house dwelling, that's the main reason why we choose to build a new house on that lot for all our family members to live together.

Please consider our serious need for 500 square meters new houses and help our family to have the place to live in.

Should you have any questions, feel free to contact me at 604-8892691 or email me at eloyalconstruction@gmail.com.

Best Regards

Xiao Han Xiao



CITY OF RICHMOND

MAY 10 2019

RECEIVED

Hopkins,John

Subject: FW: Rezoning - 11951 Blundell Road - 19-855349

Sent: Tuesday, 4 June 2019 11:54 AM
To: DevApps
Subject: Rezoning - 11951 Blundell Road - 19-855349

Good afternoon,

I am looking to contact Steven De Sousa in regards to the rezoning application proposed at 11951 Blundell Road (19-855349) to express my opposition. I have been unable to find his contact information on the City's website.

I am opposed to this rezoning because it is in contradiction to the most recent amendments to the AG1 zoning.

I was present for the Council meeting where the City imposed the maximum 400 m2 house size requirement for the AG1 Zoning. Though myself and many others who live in AG1 opposed this change, as it differs from the ALR permitted maximum 500 m2, the City upheld the decision.

Now I see that a property located in AG1 is proposing a rezoning application which is contrary to the most recent amendments and the intent that AG1 should pertain to farming uses.

By allowing and supporting this rezoning, the City will only set a precedence for other applications to follow, making the AG1 amendments unnecessary and a waste of effort.

I believe that the City should uphold the requirements of the AG1 zoning and only permit the maximum 400 m2 house size limit.

Please advise if this is the correct avenue for correspondence.

Thank you,

Joseph Smallwood
13720 Blundell Road

Timeline of Events

Date	Event
November 6, 2018 (Special Council)	<ul style="list-style-type: none"> • Council directed staff to prepare a bylaw that limits residential development in the "Agriculture (AG1)" zone, which included a maximum house size of 500 m². • Council resolution included a withholding period for all Building Permit applications in conflict with the proposed bylaws in preparation, received more than 7 days after the passage of the resolution.
November 13, 2018 (Regular Council)	<ul style="list-style-type: none"> • The proposed bylaws to limit residential development in the AG1 zone (Bylaw 9965, 9966, 9967 & 9968) were introduced for Council's consideration. • The proposed bylaws were amended by Council to limit house size on agricultural land to a maximum floor area of 400 m². • The proposed bylaws received first reading and were forwarded to the following Public Hearing (December 17, 2018).
November 13, 2018 (Withholding period begins)	<ul style="list-style-type: none"> • Withholding period begins for all Building Permit applications in conflict with the proposed bylaws noted above, which included a maximum house size of 400 m².
November 27, 2018	<ul style="list-style-type: none"> • Bill 52 (<i>Agricultural Land Commission Amendment Act, 2018</i>) was given third reading and royal assent, which included a maximum house size of 500 m².
December 13, 2018	<ul style="list-style-type: none"> • Submission of associated Building Permit for the subject property for a single-family dwelling of 500 m² (B7 18-843119).
December 17, 2018 (Public Hearing)	<ul style="list-style-type: none"> • Council adopted the bylaws limiting residential development in the AG1 zone (Bylaw 9965, 9966, 9967 & 9968), which included a maximum house size of 400 m².
December 17, 2018 (Withholding period ends)	<ul style="list-style-type: none"> • Withholding period for all Building Permit applications in conflict with the proposed bylaws ends. • Building Permits submitted during the withholding period were cancelled (did not comply with the new regulations). • All Building Permit applications must now comply with the adopted changes to the AG1 zone.
February 22, 2019	<ul style="list-style-type: none"> • Agricultural Land Reserve (ALR) Regulation amended to reflect the changes as per Bill 52, including a maximum house size of 500 m² for properties located in the ALR.
March 4, 2019	<ul style="list-style-type: none"> • Subject Rezoning application (RZ 19-855349) submitted in order to permit a larger house size than permitted in the AG1 zone, as per the previous Building Permit submitted.